

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

JAMES JONES,

Plaintiff,

V.

**LOCKHART, MORRIS,
& MONTGOMERY, INC.,
and JOHN D. HICKMAN,**

Defendants.

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CASE NO. 1:11-CV-373

**MEMORANDUM ORDER ADOPTING
REPORT AND RECOMMENDATION ON DEFAULT JUDGMENT**

Pursuant to 28 U.S.C. § 636(b)(1)(A) and the Local Rules for the United States District Court, Eastern District of Texas, Appendix B, the Court referred this proceeding to United States Magistrate Judge Keith F. Giblin for consideration. On February 2, 2012, after conducting a hearing, Judge Giblin entered his Report and Recommendation on the plaintiff's pending motion for default judgment. Judge Giblin recommended that this District Court grant the plaintiff's motion and enter judgment against the defendants.

To date, no party has filed objections to Judge Giblin's report. The Court has reviewed the motion for default judgment and Judge Giblin's findings and recommendation. The Court **ORDERS** that the Report and Recommendation Re Motion for Default Judgment [doc. #16] is **ADOPTED**. Pursuant to the magistrate judge's recommendation, the Court further **ORDERS** that the plaintiff's Motion for Default Judgment [doc. #7] is **GRANTED**.

Accordingly, the Court will enter final judgment separately in favor of plaintiff. Pursuant

to Judge Giblin's recommendation, the Court awards damages in the amount of \$4,000.00, court costs in the amount of \$400.00, and \$2,584.00 in attorneys fees, for a total award of \$7,024.00. Prejudgment and postjudgment interest are assessed on the \$4,000.00 statutory damage award as more specifically stated in the final judgment.

It is so ordered.

So **ORDERED** and **SIGNED** this **4** day of **May, 2012**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge